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(571) 273-8300

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE:

PATENT No. 6453590 (Expired)

Application No. 09458179

Issued: 09/24/2002

Appn Filing Date: 11/19/1999

Expiration Date: 09/24/2010

Attorney Docket No. DWE/BURKE#1

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FEB 16 2011

OFFICE OF PETITIONS

Feb 11 2011

Ms A.SMITH Petitions Examiner

Mail Stop PETITION

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Office Letter, Paper No. 18 mailed on Jan 31 2011 from the Office of Petitions the Patentee hereby Petitions for Reconsideration of the currently dismissed Petition for Reinstatement of the above-identified expired patent.

Payment of Fees in the amount of US\$1975 is enclosed, comprising \$1575 - deficiency of the Reinstatement Fee and \$400 - Petition Fee under 37CFR 1.17 (f) .

Respectfully submitted

D. EGGINS
Douglas W.EGGINS Patent Agent

Regn No. 21,175

Enclosures: Forms: PTO-2038; PTO/SB/17p; PTO/SB/21.

18 DOWNSVIEW DRIVE

BARRIE, On. L4M 4P8

CANADA

02/15/2011 DALLEN 00000004 6453590

01 FC:1599

1575.00 OP

02 FC:1462

400.00 OP

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PTO/SB/17p (07-09)

Approved for use through 07/31/2012. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/458,179 - Patent 6,453,590
Filing Date	Nov 19/1999
First Named Inventor	Edward Allen BURKE
Art Unit	Office of PETITIONS
Examiner Name	Andrea SMITH
Attorney Docket Number	DWE/BURKE

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FEB 10 2011

Enclosed is a petition filed under 37 CFR 1.378 (e) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 400 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(f), see form PTO/SB/17f.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- ☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:
- ☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☐ any deficiency of fees and credit of any overpayments

- ☐ Check in the amount of \$ _____ is enclosed.

- ☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.36(a) - for revocation of a power of attorney by fewer than all applicants
- § 1.53(a) - to accord a filing date.
- § 1.57(a) - to accord a filing date.
- § 1.182 - for decision on a question not specifically provided for.
- § 1.183 - to suspend the rules.
- § 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
- § 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
- § 1.14 - for access to an application.
- § 1.47 - for filing by other than all the inventors or a person not the inventor.
- § 1.59 - for expungement of information.
- § 1.103(a) - to suspend action in an application.
- § 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
- § 1.295 - for review of refusal to publish a statutory invention registration.
- § 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
- § 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
- § 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
- § 1.856 - for patent owner requests for extension of time in inter partes reexamination proceedings.
- § 5.12 - for expedited handling of a foreign filing license.
- § 5.15 - for changing the scope of a license.
- § 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
- § 1.84 - for accepting color drawings or photographs.
- § 1.91 - for entry of a model or exhibit.
- § 1.102(d) - to make an application special.
- § 1.136(c) - to expressly abandon an application to avoid publication.
- § 1.313 - to withdraw an application from issue.
- § 1.314 - to defer issuance of a patent.



Signature

Douglas W. EGGINS

Typed or printed name

02/11/2011

Date

21,175

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.